

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 28TH DAY OF MAY 2015/7TH JYAISHTA, 1937

Bail Appl.No. 1918 of 2015

CRIME NO. 129/2015 OF MANKADA POLICE STATION, MALAPPURAM
.....

PETITIONER(S)/IST ACCUSED:

**SULFEEKAR ALI, AGED 22 YEARS,
S/O.HANEEFA, KALLINGAL HOUSE, KOOTTIL P.O.,
MANKADA, MALAPPURAM DISTRICT.**

**BY ADVS.SRI.K.M.SATHYANATHA MENON
SMT.KAVERY S THAMPI**

RESPONDENT(S)/COMPLAINANT & STATE:

- 1. THE SUB INSPECTOR OF POLICE,
MANDAKA POLICE STATION, MANKADA,
MALAPPURAM DISTRICT, PIN-679 324.**
- 2. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**

BY PUBLIC PROSECUTOR SRI.V.S.SREEJITH

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON
28-05-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

K. ABRAHAM MATHEW, J.

B.A. No.1918 of 2015

Dated this the 28th day of May, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. The petitioner is said to have committed the offences under Sections 323, 324 and 308 of Indian Penal Code.

3. The prosecution case is that he along with co-accused assaulted the victim with iron rods causing injuries on his head.

4. Heard.

5. Learned counsel submits that the petitioner only resisted the assault made by the victim and others who assaulted the former with heavy weapons like iron rods causing serious injuries to them. The victim in this case sustained lacerated wound near the right orbit and on the forehead. On the other hand, the father of the petitioner sustained fracture on the right frontal bone and the right orbit apart from some other injuries. The petitioner's case appears to be probable. In these circumstances I am inclined to grant him anticipatory bail.

In the result, this application is allowed.

1) The petitioner shall be released on bail after interrogation on his executing a bond for Rs.Twenty five thousand only with two solvent sureties each for the like sum if he is arrested by the Police in connection with this case.

2) He shall appear before the Investigating Officer for interrogation if he is so required by him in writing.

3) He shall not destroy or tamper with evidence.

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in accordance with the law.

sd/-
K. ABRAHAM MATHEW
JUDGE

R.AV

//True Copy//

PA to Judge